

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|------------------------------|---|--------------|
| AVERY JAMES HARDAWAY | : | CIVIL ACTION |
| | : | |
| v. | : | NO. 24-2014 |
| | : | |
| MARQUES J. HARDAWAY, JUSTIN | : | |
| GRESKIEWICZ, WIL RUIZ, RANDY | : | |
| BENTLEY | : | |

ORDER

AND NOW, this 22nd day of May 2024, upon reviewing the pro se Complaint (ECF No. 2) after granting leave to proceed without paying filing fees (ECF No. 5) consistent with our obligations set by Congress to screen under 28 U.S.C. § 1915(e)(2)(B), noting Plaintiff fails to plead our limited subject matter jurisdiction as we lack diversity and the Plaintiff does not identify a federal question, and for reasons in today's accompanying Memorandum, it is **ORDERED**:

1. We **DISMISS** Plaintiff's Complaint (ECF No. 2) for lack of subject matter jurisdiction with leave to file an amended Complaint if Plaintiff can plead a federal question in an amended Complaint filed no later than **June 10, 2024**; and,

2. We will direct the Clerk of Court to close this case without prejudice to timely seek relief in state court if Plaintiff does not timely file an amended Complaint under this Order.



KEARNEY, J.